

Rhode Island Statewide Planning Program
STATE PLANNING COUNCIL

Thursday, August 18, 2011

William E. Powers Building

Conference Room A

One Capitol Hill, Providence, RI

I. ATTENDANCE

Members Present

Mr. Brian Daniels, Vice Chair	Director, Governor's Policy Office
Mr. Kevin Flynn, Secretary	Associate Director, Division of Planning
Ms. Sharon Conard-Wells	West Elmwood Housing Development Corporation
Mr. Thomas Mullaney	RI DOA, Budget Office
Mr. L. Vincent Murray	RI LOCAT, Government Official Representative
Ms. Anna Prager	Public Member
Mr. William Sequino	Public Member
Mr. Peder Schaefer	Representing Mr. Dan Beardsley, RI League of Cities and Towns (RI LOCAT)
Mr. Henry Sherlock	Representing Mr. Stephen Cardi, Cardi Corporation
Mr. Bob Shawver	Representing Mr. M. Lewis, Governor's Designee
Mr. John Trevor	Environmental Advocate

Members Absent

Ms. Jeanne Boyle	RI LOCAT, President's Designee
Ms. Jeanne Cola	Chair, RI Housing Resources Commission
Mr. Thomas Deller	Providence Department of Planning & Development
Mr. Richard Licht	Director, RI DOA
Ms. Janet White-Raymond	Public Member

Guests

Ms. Kendra Beaver	Rhode Island Airport Corporation
Ms. Meredith Brady	Rhode Island Department of Transportation

Mr. William DePasquale	Planning Director, City of Warwick
Mr. Kevin Dillon	Rhode Island Airport Corporation
Mr. Peter Frazier	Rhode Island Airport Corporation
Mr. Sam Shamoon	Citizen

Staff – Division of Planning

Mr. Jared L. Rhodes, II	Chief, Statewide Planning Program
Ms. Karen Scott	Assistant Chief, Statewide Planning
Ms. Dawn Vittorioso	Executive Assistant, Division of Planning
Mr. Shane White	GIS Coordinator, Statewide Planning Program

II. AGENDA ITEMS

1. Call to Order

Mr. Daniels called the meeting to order at 9:04 a.m.

2. Approval of the June 9, 2011 Meeting Minutes

Mr. Sequino moved to approve the minutes of June 9, 2011 as presented. The motion was seconded by Mr. Sherlock. There was no further discussion and the motion passed unanimously.

3. Public Comment on Agenda Items

Mr. William DePasquale, Director of the City of Warwick's Planning Department stated that he was speaking on behalf of the City's Mayor, Scott Avedisian in opposition to approval of the draft State Guide Plan Element 640. Mr. DePasquale expressed particular concern that the draft plan will trump the City's ability to determine land use in and around the T.F. Green and that the City would still like to establish a mediation procedure that would involve the State Planning Council. He also expressed concern that the plan would establish the airport as a long vs. medium haul facility which is contrary to the City's desire.

4. State Guide Plan Element 640: Rhode Island Airport Systems Plan – *for action*

Mr. Rhodes began by introducing staff from Rhode Island Airport Corporation (RIAC); Mr. Kevin Dillon, Executive Director and RIAC's Legal Counsel, Mr. Peter Frazier and Ms. Kendra Bearer. Mr. Rhodes then introduced the Department of Administration's Deputy Chief of Legal Services, Mr. Peter Dennehy. After the introductions, Mr. Rhodes took a moment to recapitulate the events which included the State Planning Council's authorization to conduct a Public Hearing; which was held on May 4, 2011 and the formal thirty-day public comment period which formally closed on May 11, 2011. Mr. Rhodes then noted that twelve individuals, formally, commented on the Draft and that the Report is composed of the following three sections:

- Section I, which is the RIAC and Statewide Planning Program's summary of the comments received and responses thereto;
- Section II, which is a detailed narrative of the public hearing proceedings including comments that were received verbally without benefit of a companion written submission;
- Section III, which provides the actual written comments presented at the public hearing and or were received during the comment period.

Next, Mr. Rhodes then indicated that the comments received can be summarized in the following main categories:

1. Local vs. State and Federal Interests;
2. Land Use Planning Roles and Responsibilities;
3. TF Green EIS Assumptions, data, projections and methodologies;
4. Comments relative to the other five state airports;
5. Procedural concerns

Mr. Rhodes then elaborated and said the vast majority of all the comments received related to the proposed TF Green expansion and or Federal EIS processes. Only one comment was received that was specific to another airport.

As noted in the comment summary and response section, the Plan does, however, defer to the ongoing federal National Environmental Policy Act or NEPA Environmental Impact Statement process as the proper vehicle for selecting preferred TF Green expansion alternatives.

As previously discussed with the Council, Mr. Rhodes said the analysis and mitigation requirements of NEPA are unparalleled in Rhode Island General Law and regulatory programs. The level and breadth of analysis, technical expertise and public outreach that has been invested in this seven year, twelve million dollar EIS effort can not be matched by the resources and authorities available to the Statewide Planning Program nor would it be reasonable for the State to duplicate these efforts.

Next, Mr. Rhodes ensured the Council that Statewide Planning reviewed the procedural concerns that were raised with attorneys from both RIAC and DOA and that they have approved the responses put forward in the public hearing report.

In conclusion, Mr. Rhodes took a moment to briefly summarize the proposed revisions:

- 14 pages were revised to replace references to the draft TF Green EIS that was issued in 2010 with references to the final TF Green EIS that was issued in July of 2011 following the close of the public comment period and hearing.
- 14 pages were revised to replace references to the draft TF Green EIS that was issued in 2010. 7 pages have been revised to update projection and or forecast references from the draft EIS that changed with issuance of the Final EIS.
- 3 pages were revised to respond to comments made regarding population, economic growth and demand within the region.
- 3 pages were revised to respond to the request to provide cost estimates for potential TF Green Improvement projects.

- 1 page was revised to clarify references to existing transit/bus service at TF Green.
- 3 pages were revised to reflect the completion of the Interlink.
- 2 pages were revised to correct references to the recently amended RI Comprehensive Planning and Land Use Regulation Act.
- And 7 pages were updated to correct miscellaneous typos, spelling errors etc.

Once Mr. Rhodes concluded his presentation, he asked Mr. Dillon if he would like to add any additional comments. Mr. Dillon thanked everyone for reviewing the Plan. He stressed the economic benefits that T.G Green imparts to the City, State and Region and then responded to Mr. DePasquale's comments and noting that RIAC is aware of all of the positive and negative impacts to the municipalities around the airports. Mr. Dillon next addressed the City's Land Use planning concerns by stating that the Plan is consistent with planning hierarchy within the State that is established by statute. In closing, Mr. Dillon emphasized that the plan has been revised over time to ensure that both Statewide Planning and the affected municipality will be consulted by RIAC in the event of any proposed land use changes.

Mr. Sequino asked if RIAC ignored any comments that were made by the City of Warwick. In response, Mr. Dillon said that RIAC and Statewide Planning carefully considered all the suggested comments and incorporated what they felt to be reasonable into the plan given the current State land use planning hierarchy.

For clarification purposes, Mr. Daniels asked if any changes were made to the goals and policies section. Mr. Rhodes indicated that no changes had been made to those sections since the authorization of the public hearing. Mr. Daniels then asked Mr. Dillon how the cost estimates for the TF Green components were derived. In response, Mr. Dillon said that the estimates were drawn from the Final EIS and that they are based on projects that are planned over the next ten years. He then noted that some of the planned projects may not be undertaken as RIAC moves forward. The two projects that will take precedence however will be the safety over run and the main runway extension; both of which are highly dependent on federal funding.

Ms. Conard-Wells next asked Mr. Dillon to speak in a little more detail regarding the economic impact of TF Green which he did. Ms. Conard-Wells then asked what will happen to housing and commercial vacancies along Post Road in Warwick if federal funding is seized. Mr. Dillon said RIAC will work with the City of Warwick to remove residential structures and make them into open space. He then added that they will also work together to establish appropriate neighborhood boundaries. Commercial properties will also be demolished and utilized for part of the developmental work such as additional parking needs for the airport. He then said the ultimate goal is to have the properties placed back on the tax roll. Next, Ms. Conard-Wells asked if the City of Warwick would lose property tax revenue. Mr. Dillon explained that RIAC makes payments in lieu of taxes (PILOT) to the City and that from his perspective the facility produces a net gain to the City as opposed to a net loss.

Mr. Murray asked Mr. Dillon to elaborate how RIAC intends to work with the City of Warwick to address land use and quality of life concerns. In response, Mr. Dillon said that as a result of prior City request, RIAC has committed through the plan to request State Planning Council input regarding State Guide Plan conformity determinations in instances where land use change is proposed and that in turn the Statewide

Planning Program has committed to seeking the input of the City regarding the proposed land use change's consistency with the local comprehensive plan. Mr. Rhodes then noted that this content can be found on pages 06.6 and 01.4 of the Airport System Plan respectively.

Mr. Sequino asked if there was an expected timeframe for adoption. Mr. Dillon said that RIAC is seeking approval as soon as possible.

Ms. Prager took a moment to note that private properties will be affected; therefore, she would like to listen to the City of Warwick's concerns. For clarification purposes, Mr. Dillon noted that RIAC does not intend to condemn properties. He then said that the vast majority of properties that are acquired are based on voluntary acquisitions.

Mr. Sequino suggested the City of Warwick and RIAC get together one last time to try and resolve any outstanding issues and come to an agreement. Mr. Dillon disagreed and noted that given the state's statute, RIAC has been flexible thus far with the City of Warwick. Mr. Rhodes took a moment to remind the Council that RIAC and the City of Warwick have worked together over the past three years to try come to an agreement; and over that extensive amount of time, this has been the result.

Ms. Prager asked Mr. DePasquale if he agreed with Mr. Sequino's suggestion. Mr. DePasquale said that the City of Warwick is not saying that they don't want the airport. Mayor Avedisian wants an airport that is the appropriate size and that has the least amount of impact to the community. He then noted that the recommendations of the Environmental Impact Statement (EIS) will cause the City of Warwick to lose \$500K up front in tax revenues and hundreds of affordable homes. Mr. DePasquale mentioned that Mayor Avedisian has offered a solution that would provide for an 8,300 foot main runway while reducing local impacts; however, given the legal aspects, he is unsure if this suggestion could be accomplished. In short, Mr. DePasquale said that he would like to work with RIAC on a land use plan. Mr. Daniels asked Mr. DePasquale if the City of Warwick could find agreement given the current preferred alternative or will the terms of agreement require the City to pursue another type of runway expansion as recommended by the Mayor. In Response, Mr. DePasquale suggested omitting "Design Aircraft" from the EIS.

Ms. Prager asked Mr. DePasquale if the City of Warwick had sufficient input in the EIS process. Mr. DePasquale's responded by stating that it was the City's opinion that the proposed alternative would result in an unacceptable loss of affordable housing options and a reduction of tax revenues within the City. Mr. Rhodes then commented on the strides that the City of Warwick has made thus far with the Master Planning process for the Interlink; which looks at melding commercial and residential uses around that facility. He then noted that the City is also making progress with the updates to their comprehensive plan. Mr. DePasquale agreed, but reiterated his concern that the City of Warwick's land use decisions will be subservient to the content of the State Guide Plan.

Ms. Prager said that it appears that the only disagreement is the length of the runway. Mr. Trevor concurred with Ms. Prager and said that he doesn't believe that deferring the discussion will allow both parties to reach an agreement; therefore, Mr. Trevor advocated for moving forward with a vote. Mr. Schaefer disagreed and said that he will not be able to vote favorably on this item at this time and preferred deferring action for another month. Mr. Shawver expressed his preference for moving forward

with a vote at this time. Mr. Murray suggested waiting another month as he thought it would be beneficial for the Council to have additional time to absorb the information that had been presented prior to voting.

There being no further discussion, Mr. Murray motioned to defer action on the Draft Airport System Plan until the next meeting. Mr. Sequino seconded the motion. Under discussion, Ms. Prager offered a friendly amendment specifying that the motion be for the Council to "continue the matter to the September 15 meeting at which time it will take action on the Draft Airport System Plan". Ms. Prager's friendly amendment was accepted by Mr. Murray and Mr. Sequino. Council members Daniels, Flynn, Conard-Wells, Mullaney, Murray, Prager, Sequino, Schaefer and Trevor voted in favor of the motion with Council members Shawver and Sherlock voting in opposition to the motion. The motion passed as a result.

5. **RIGIS, Draft 2011 – 2016 Strategic Management Plan** – *for action*

Mr. White presented the RIGIS, 2011 - 2016 Draft Strategic Management Plan as documented in the agenda supplement. He pointed out that minor edits were made to the Plan as a result of suggestions that were made at the Technical Committee.

There being no questions, Ms. Prager motioned to endorse the Rhode Island Geographic Information System, Draft 2011 – 2016 Strategic Management Plan. Mr. Trevor seconded the motion. There was no further discussion and the motion passed unanimously.

6. **2013 – 2016 Transportation Improvement Program** – *for discussion*

Ms. Scott provided an overview of the FY 2013 – 2016 Transportation Improvement Plan (TIP) development process as documented in the agenda supplement distributed with the Council packets. Highlights of those items in which the State Planning Council engaged in discussion are as follows:

Mr. Flynn noted that neither he nor his staff was responsible for the last TIP solicitation; therefore, he asked Mr. Shawver if the last solicitation had a TAC sub committee that was geographically based as opposed to functionally based. Mr. Shawver said that they were geographically based. He then noted another significant difference; that being that whereas the previous TIP solicitation allowed projects to be "grandfathered in" if they were already included in the TIP, this one will not.

As there were no further questions or comments, Mr. Daniels moved on to the Associate Director's Report.

7. **Associate Director's Report**

Mr. Flynn addressed the following items under the Associate Director's report:

- 2011 Challenge Grants request ;
- HUD's recent request for Sustainable Communities Preapplication proposals
- Status of Disaster Recovery Funding Programs;

- Status of EDA Fisheries draft report;
- East Greenwich court case; zoning and affordable housing;
- Status on Comprehensive Plan; Legislation passed!
- Water Resources Board is now part of DOP

8. **Other Business**

None.

9. **Adjourn**

There being no further discussion, Ms. Conard-Wells motioned to adjourn. Mr. Mullaney seconded the motion. The motion carried unanimously and the meeting adjourned at 11:00 A.M.

Respectfully Submitted,



Kevin Flynn
Associate Director